

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
JAMAR WILLIAMS,  
:  
Petitioner,  
:  
-against-  
:  
D. LaCLAIR, Superintendent,  
:  
Franklin Correctional Facility,  
:  
Respondent.  
:  
-----X  
SHIRA A. SCHEINDLIN, U.S.D.J.:

**ORDER**  
08 Civ. 11354 (SAS) (JCF)

FILED  
JAN 13 2010  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DOCKET  
DATE FILED: 1/13/10

I have reviewed the Report and Recommendation (“R&R”) of United States Magistrate Judge James C. Francis, IV, dated December 16, 2009 (Document # 16), which recommends that I deny the petition for writ of habeas corpus brought by pro se petitioner Jamar Williams under 28 U.S.C. § 2254. Although petitioner was given the opportunity to file objections to the R&R, *see* R&R at 18, he has failed to do so. Based on my independent review, I hereby adopt the thorough and thoughtful R&R in full.

In accordance with the R&R, the instant habeas petition is dismissed with prejudice. Because petitioner’s failure to file objections precludes appellate review, this Court will not issue a certificate of appealability. *See Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Frank v. Johnson*, 968 F.2d 298, 300 (2d Cir. 1992)

("We have adopted the rule that failure to object timely to a report waives any further judicial review of the report."). The Clerk of the Court is directed to dismiss the instant petition and close this case.

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
January 12, 2010

**- Appearances -**

**Petitioner (Pro Se):**

Jamar Williams  
# 06-A-0924  
Wyoming Correctional Facility  
P.O. Box 501  
Attica, NY 14011

**For Respondent:**

Paul B. Lyons  
Assistant Attorney General  
New York State Office of the Attorney General  
120 Broadway  
New York, NY 10271  
(212) 416-8229